EMPLOYMENT

Agreement Between the
UNITED STATES OF AMERICA
and ESTONIA

Effected by Exchange of Notes
Dated at Tallinn September 25 and
October 20, 2000

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

ESTONIA

Employment

Agreement effected by exchange of notes
Dated at Tallinn September 25 and
October 20, 2000;
Entered into force November 22, 2000.

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 127

The Embassy of the United State of America presents its compliments to the Ministry of Foreign Affairs of the Government of Estonia, and has the honor to propose that, on reciprocal basis, dependents of the official employees of the United States Government assigned to official duty in Estonia and dependents of employees of the Estonian Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purpose of this agreement,

"Dependents" shall mean: Spouses; Unmarried dependent children under 21 years of age; Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and unmarried children who are physically or mentally disabled.

For the purpose of this agreement, official employees shall mean diplomatic agents, consular officers, and members of support staffs, assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek and accept employment in Estonia, the request shall be made by the United States Embassy in Tallinn Estonia to the Estonian Ministry of Foreign Affairs. After the processing of the official request, the United States Embassy will be informed that the dependent may seek and accept employment.

In the case of dependents who seek and accept employment in the United States, an official request must be made by the Embassy of Estonia in Washington to the office of Protocol in the Department of State. After the processing of the official request, the Estonian Embassy will be informed that the dependent may seek and accept employment.

The Government of the United States and the Government of Estonia wish to confirm their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving state in accordance with the Vienna Convention on Diplomatic Relations or the Conventions on the Privileges on Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil or administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also responsible for payment of income and social security taxes on any remuneration received as a

result of employment in the receiving state. Dependents continue to enjoy all other privileges and immunities to which they are entitled.

The Embassy of the United States further proposes that, if these provisions are acceptable to the Government of Estonia, this Note and Government of Estonia's affirmative Note in reply concurring therein shall constitute agreement between the two governments, which shall enter into force upon a final exchange of diplomatic notes confirming that the internal procedures or entry into force have been fulfilled by both parties.

This agreement shall remain in force until ninety days after the date of written notification from either government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Estonia the assurances of its highest consideration.

Embassy of the United States of America,

Tallinn, September 25, 2000

Ministry of Foreign Affairs
Republic of Estonia

No. 7-2/14074

NOTE VERBALE

The Ministry of Foreign Affairs of the Republic of Estonia present their compliments to the Embassy of the United States of America, and have the honour to acknowledge the receipt of the Embassy's Note nr. 127 from September 25, 2000, which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of the Foreign Affairs of the Government of Estonia, and has the honor to propose that, on reciprocal basis, dependents of the official employees of the United States Government assigned to official duty in Estonia and dependents of employees of the Estonian Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purpose of this agreement,

"Dependents" shall mean: Spouses; Unmarried dependent children under 21 years of age; Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and unmarried children who are physically or mentally disabled.

.../2

TO:
Embassy of the United States of America
TALLINN

For the purpose of this agreement, official employees shall mean diplomatic agents, consular officers, and members of support staffs, assigned to diplomatic missions, consular offices and missions to international organizations.

In the case of dependents who seek and accept employment in Estonia, the request shall be made by the United States Embassy in the Republic of Estonia to the Ministry of Foreign Affairs of the Republic of Estonia. After the processing of the official request, the United States Embassy will be informed that the dependent may seek and accept employment.

In the case of dependents who seek and accept employment in the United States, an official request must be made by the Embassy of Estonia in Washington to the Office of Protocol in the Department of State. After the processing of the official request, the Estonian Embassy will be informed that the dependent may seek and accept employment.

The Government of the Republic of Estonia and the Government of the United States wish to confirm their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving state in accordance with the Vienna Convention on Diplomatic Relations or the Convention on the Privileges and Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil or administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also responsible for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state. Dependents continue to enjoy all other privileges and immunities to which they are entitled.

.../3

The Embassy of the United States further proposes that, if these provisions are acceptable to the Government of Estonia, this Note and Government of Estonia's affirmative Note in reply concurring therein shall constitute an agreement between the two governments, which shall enter into force upon a final exchange of diplomatic notes confirming that the internal procedures of entry into force have been fulfilled by both parties.

This agreement shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate."

The Ministry have the honour to confirm on behalf of the Government of the Republic of Estonia, that the Embassy's Note and this reply shall constitute an agreement between the two governments.

The Ministry would like to inform the Embassy, that the Government of the Republic of Estonia has, by Government Order nr 809-k from October 18, 2000, adopted the text of the agreement. Therefore, the Republic of Estonia has fulfilled all the internal procedures required for entry into force of the said agreement.

The Ministry of Foreign Affairs of the Republic of Estonia avail themselves of this opportunity to renew to the Embassy of the Unites States of America in Tallinn the assurances of their highest consideration.

Tallinn, October 20, 2000

VÄLISMINISTEERIUM
MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF ESTONIA